



State Clearinghouse Handbook

2009

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Governor

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STATE CLEARINGHOUSE HANDBOOK

2009 EDITION

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INTRODUCTION

Established in 1973, the State Clearinghouse (SCH) coordinates the state-level review of environmental documents that are prepared pursuant to the California Environmental Quality Act (CEQA). As a division of the Governor's Office of Planning and Research (OPR), the SCH is at the center of state agency involvement in the CEQA environmental review process. Operation of the SCH is governed by the *CEQA Guidelines* (California Code of Regulations, Title 14, Sections 15000-15387), which defines its roles and responsibilities regarding environmental review. Appendix A of this *Handbook* describes those projects requiring environmental review through the SCH.

The SCH also functions as the "State Single Point of Contact" for coordinating state and local review of applications for

federal grants or loans under select state programs (Presidential Executive Order 12372). In this capacity, the SCH coordinates state and local review of federal financial assistance applications, federally required state plans, direct federal development activities, and federal environmental documents. The purpose of the process is to afford state and local participation in federal activities occurring within California. The Executive Order does not replace public participation, comment, or review requirements of other federal laws, such as the National Environmental Policy Act (NEPA), but gives the states an additional mechanism to ensure federal agency responsiveness to state and local concerns.

This *State Clearinghouse Handbook* explains the functions of the SCH under CEQA and Presidential Executive Order 12372.

Serving Government Agencies and the Public

With regard to statewide planning, the SCH serves government agencies and the public by coordinating environmental document distribution, providing assistance with the environmental review process and managing the environmental information collected.

Coordinate the Distribution and Review of Environmental Documents under CEQA

All draft Environmental Impact Reports (EIRs) and draft Negative Declarations* for projects that involve a state Responsible or Trustee agency or are of statewide, regional, or areawide significance must be submitted to the SCH (see Appendix A of this *Handbook* for a description). Once the SCH receives these documents from public agencies, they are distributed to state agencies for comment. When the review periods have closed, the SCH coordinates the transmittal of comments from state agencies to the Lead Agency.

Advise and Assist Government Agencies and the Public

The SCH staff provides information and assistance on the environmental review process to state and local government officials and the public. The SCH staff is available to organize scoping meetings and to help identify Lead, Responsible, and Trustee agencies for particular development proposals. The Director of OPR also has the authority to resolve Lead Agency disputes upon request of a public agency or private applicant.

Manage Environmental Information

The SCH maintains a database of all environmental documents and notices that it receives. This information, dating to the mid-1980s, is available for use by state agencies, local governments, and project applicants. Access to the database is available online at www.ceqanet.ca.gov.

Where to Find Copies of CEQA and CEQA Guidelines

The **California Environmental Quality Act (CEQA)** is located in the California Public Resources Code beginning at Section 21000. It is important to check for changes annually because the Act is subject to amendment. California Statutes are available online at www.leginfo.ca.gov/calaw.html.

The *CEQA Guidelines* are found in the California Code

of Regulations, Title 14, beginning at Section 15000. The *Guidelines* are available online at www.oal.ca.gov.

The Statute and *Guidelines* are also available online at the California Land Use Planning and Information Network (LUPIN) website (www.ceres.ca.gov/ceqa).

*As used in this Handbook, the term "Negative Declaration" also includes Mitigated Negative Declaration.

ENVIRONMENTAL DOCUMENT REVIEW PROCESS

Requirement to Submit Environmental Documents to SCH

Lead agencies are required to send environmental documents, including draft Negative Declarations, Notices of Preparation (NOP), and Draft Environmental Impact Reports (EIR), to the SCH pursuant to CEQA. The purpose is to allow state agencies to review and comment on these documents.

In addition, Notices of Exemption (NOE) for certain statutorily exempt housing projects must be filed with OPR (the SCH) according to PRC Sections 21159.22 through 21159.24.

Any submittal to the SCH should be addressed to:

State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044

For courier or hand delivery:

State Clearinghouse
1400 Tenth Street, Suite 212
Sacramento, CA 95814

The following types of environmental documents must be submitted to the SCH:

- 1) All NOPs.
- 2) Draft EIRs and Negative Declarations prepared by a state Lead Agency.

3) Draft EIRs and Negative Declarations prepared by any public agency where a state agency is a Responsible Agency, Trustee Agency, or otherwise has jurisdiction by law with respect to the project.

4) Draft EIRs and Negative Declarations on projects identified in *CEQA Guidelines*, Section 15206 as being of statewide, regional, or areawide significance.

5) Draft Environmental Impact Statements, Environmental Assessments, and Findings of No Significant Impact (FONSI) prepared pursuant to NEPA, the Federal Guidelines (Title 40 CFR, Part 1500, commencing with Section 1500.1).

6) Notices of Determination for any projects where the Lead Agency is a state agency and for local projects where a state agency is a Responsible Agency.

7) Notices of Exemption for projects using statutory exemptions pursuant to PRC Sections 21159.22 through 21159.24.

For requirements on the document submittal process see Appendix A and Appendix C of this *Handbook*. The following pages outline the step-by-step environmental document review procedures of the SCH.

Negative Declaration Process

This section explains the procedures when a draft Negative Declaration is submitted to the SCH for state agency review. State review of a Negative Declaration is required when a state agency is the Lead Agency, a Responsible Agency, a Trustee Agency, or otherwise has jurisdiction by law over a project; or when the project has statewide, regional, or areawide impacts as identified in Section 15206 of the *CEQA Guidelines*. The Lead Agency or a party authorized by the Lead Agency may submit draft Negative Declarations to the SCH.

Step 1: Submittal of a Negative Declaration to the State Clearinghouse

When a Negative Declaration requires state agency review, submit at least **15 copies** to the SCH. The 15 copies may be in hardcopy or electronic format (CD) (see page 6). If submitting in electronic format, 15 hardcopies of the initial study, introduction section, or executive summary of the Negative Declaration must accompany the 15 CDs. Each of the 15 copies of the Negative Declaration must be collated with any supporting documents, technical appendices, or CDs. Lead

agencies are encouraged to submit one copy of the Negative Declaration in electronic format (CD) when submitting 15 hardcopies (*CEQA Guidelines*, Section 15205(a)).

Minimum Contents of a Negative Declaration:

(*CEQA Guidelines*, Section 15071)

- A. Description and title of the project;
- B. Location of the project, preferably shown on a map, and by latitude and longitude;
- C. Name of the project proponent;
- D. A proposed finding that the project will not have a significant effect on the environment;
- E. An attached copy of the initial study documenting reasons to support the finding; and
- F. Mitigation measures, if any, included in the project to avoid potentially significant effects.

One hardcopy of the Notice of Completion Form (NOC) should be submitted with the 15 copies of the Negative Declaration. Completing this form facilitates the processing

of environmental documents and is circulated to state agencies together with the Negative Declaration. The information from the NOC form is entered into the SCH database. If no NOC form is submitted, the review period may be delayed. The SCH NOC form is provided at the back of this *Handbook* (Form A) or online at www.opr.ca.gov.

Step 2: Distribution and Review Period

When a complete submittal of a Negative Declaration is received by the SCH for distribution, a staff analyst assigns a unique SCH identification number to the project. If the project already has a SCH identification number from a previous document submittal, the Lead Agency should reference the previously assigned SCH number. Next, the document is reviewed briefly to determine its scope and to identify the state agencies that should receive it for review. The SCH will distribute the document to any Responsible or Trustee state agencies, and to any other state agencies which may have relevant expertise in the subject or otherwise have a reason to review the document. Refer to Appendix F for a listing of state agencies and departments to whom environmental documents normally are distributed.

The SCH staff analyst sets the review dates and attaches a distribution list to the Notice of Completion form. Documents are then mailed or otherwise delivered to the selected state agencies for review and comment.

The normal state agency review period for Negative Declarations submitted to the SCH is 30 calendar days (Public Resources Code Section 21091(b) and *CEQA Guidelines*, Section 15105). The review period begins when the SCH circulates the document, which is usually the same day it is received. Documents received after noon will be distributed the next working day. Specific review dates are calculated by counting as “day 1” the date on which the document is distributed by the SCH and concluding on the 30th calendar day thereafter, excluding weekends and holidays.

A shortened state agency review period of not less than 20 days may be granted under special circumstances (see page 7).

Alternatively, Lead Agencies may request or provide for a state agency review period longer than 30 days. The SCH should be notified in writing of such requests or provisions.

Step 3: Review of a Negative Declaration

After the SCH has distributed a Negative Declaration to state agencies, those agencies may assign the document to staff members in their Sacramento or regional offices for review, analysis and comment. Agency comments are forwarded to the SCH prior to the end of the assigned review period.

Occasionally, state agencies may request an extension of a review period from the Lead Agency. If the extension is granted, the Lead Agency should notify the SCH in writing.

Step 4: Comments on a Negative Declaration

At the end of the state review period, all comments from the reviewing state agencies are collected at the SCH. A closing letter and a complete package of comments are forwarded to the Lead Agency on the working day following the close of the review period.

Step 5: Notice of Determination

Within five working days of approving a project for which a Negative Declaration has been adopted, a local Lead Agency must file a Notice of Determination (NOD) with the county clerk of the county or counties where the project is located. If the project requires discretionary approval from a state agency, the NOD also must be filed with the SCH. If the Lead Agency is a state agency, the NOD must be filed with the SCH.

The information required in a Notice of Determination is listed in Section 15075 of the *CEQA Guidelines*. The filing of the NOD begins a 30 calendar day statute of limitations on court challenges to the project approval under CEQA.

At the time of filing of the NOD, Lead Agencies are required to pay an environmental filing fee to the California Department of Fish and Game (DFG) unless the project will have no effect

Negative Declaration Checklist of Responsibilities		Lead Agency	State Clearinghouse	Reviewing Agency
1	On the basis of the Initial Study, prepare Negative Declaration.	✗		
2	Send 15 copies of Negative Declaration and one copy of completed NOC form to the SCH.	✗		
3	Assign the SCH identification number and state review period (normally 30 days) and distribute to select state agencies.		✗	
4	Review and comment on Negative Declaration. Send comments to the SCH within assigned review period.			✗
5	Forward comments to Lead Agency at end of review period with a closing letter.		✗	
6	<ul style="list-style-type: none"> Consider comments received Adopt Negative Declaration Make decision on the project 	✗		
7	File NOD with the county clerk if project is approved. Also file NOD with the SCH if project requires discretionary approval from state agency.	✗		

on fish and wildlife (see Fish and Game Code Section 711.4(c) (2)). The fee for Negative Declarations is subject to change annually, pursuant to Fish and Game Code Section 713. Please consult DFG's website at www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html for more information.

The environmental filing fee, if paid by a state agency, must be submitted to OPR, made payable to the DFG. If paid by a local agency, it must be paid to the county clerk. The SCH cannot post a NOD from a state agency without proof of payment of the required Fish and Game filing fee, or a "no effect" determination.

Helpful Hints

- Submit one completed NOC with your Negative Declaration.
- Submit 15 copies of each Negative Declaration. Submit additional copies if you have identified more than 15 state

agencies that should receive a copy. Collate all supporting documents, appendices, and/or CDs.

- Include a cover letter if you have special instructions for the SCH staff.
 - For complete submittals, assume that the 30 day review period will commence within 24 hours of receipt by the SCH (Statute allows 3 days).
 - Plan ahead if you will need a shortened review period by calling the SCH before mailing your document.
 - Call the SCH in advance if you have any questions regarding these procedures.
 - Contact the Department of Fish and Game by phone at (916) 651-0603 or visit their website at www.dfg.ca.gov if you believe your project will have no effect on fish and wildlife.
-

Environmental Impact Report (EIR) Process

This section explains the procedures when an EIR is submitted to the SCH for state agency review. Lead Agencies are required to submit their Draft EIR to the SCH when: (a) the Lead Agency is a state agency, (b) the project involves one or more Responsible or Trustee state agencies, or (c) the project has statewide, regional, or areawide significance, as identified in Section 15206 of the *CEQA Guidelines*. Submittal of Draft EIRs to the SCH must be done by the Lead Agency or by a party authorized by the Lead Agency.

Step 1: Notice of Preparation

As part of the EIR scoping process, a Lead Agency must circulate a Notice of Preparation (NOP) to OPR and all Responsible and Trustee Agencies advising them of its intention to prepare a Draft EIR (*CEQA Guidelines*, Section 15082).

The 30 calendar day review period for a NOP begins when an agency receives the notice. Lead Agencies are required to send copies of a NOP directly to OPR and to all Responsible and Trustee Agencies. SCH staff can assist in identifying Responsible and Trustee state agencies.

The Lead Agency's distribution list for the NOP should be attached to SCH's copy of the NOP. Filing the NOP and distribution list with the SCH helps ensure that no Responsible or Trustee state agencies have been overlooked.

Minimum Contents of a Notice of Preparation:

- A. Description and title of the project;
- B. Location of the project, indicated either on an attached map (preferably a topographical map), or by a street address in an urbanized area, as well as by latitude and longitude; and
- C. Probable environmental effects of the project.

The SCH also requests that a completed Notice of Completion Form (NOC) be submitted with the NOP. This form expedites processing of the NOP and allows for accurate data entry into the database. The NOC form facilitates processing of all environmental documents through the SCH.

The project description provided in the NOP should be complete enough to enable reviewers to make meaningful comments. Even though a map is not required, providing a good site map and vicinity map is strongly encouraged. The mapping should show the site in a context broad enough to indicate the area to be affected by the project, including rivers, airports, schools, railways, and highways. The Initial Study, if one has been completed, should be attached to show the probable environmental effects of the project.

Step 2: SCH Number and Distribution

When a NOP is submitted to the SCH, a staff member assigns a unique SCH identification number to the project. The SCH will check the Lead Agency's distribution list and may send copies of the NOP to additional state agencies that have relevant expertise in the subject or otherwise have reason to review the project, even though they are not Responsible or Trustee Agencies. This does not extend the 30 day comment period for Responsible and Trustee Agencies that already received the NOP directly from the Lead Agency.

SCH receipt of the NOP will be acknowledged through a letter sent to the Lead Agency. This letter also notes that the SCH identification number assigned will be used for all subsequent environmental documents for that project. A state agency distribution list will be attached to the acknowledgement letter, indicating the agencies to which the SCH has forwarded a copy of the NOP.

Step 3: NOP Review Period

Responsible agencies have a maximum of 30 calendar days from receipt of a NOP to comment on a proposed project (Section 15103 of the *CEQA Guidelines*). When a state agency comments on a NOP, the original comment letter must be sent directly to the Lead Agency and a copy sent to the SCH.

The SCH does not compile and transmit state agency comment letters on NOPs to the Lead Agency after the end of the 30 day comment period.

Step 4: Submittal of Draft EIR to SCH

When a Draft EIR requires state agency review, at least 15 copies of the document must be submitted to the SCH. The 15 copies may be in hardcopy or electronic format (CD) (see page 6). If submitting in electronic format, 15 hardcopies of the Draft EIR summary or executive summary must accompany the 15 CDs. One hardcopy of the NOC form must also be submitted with the 15 copies (*CEQA Guidelines* Section 15085(d)). Each of the 15 copies of the Draft EIR should be collated with any supporting documents, technical appendices, or CDs. Lead Agencies are encouraged to submit one copy of the Draft EIR in electronic format (CD) when submitting 15 hardcopies (*CEQA Guidelines*, Section 15205(a)).

A Draft EIR may not be circulated for public review before the end of the comment period for the NOP (*CEQA Guidelines*, Section 15082[a]).

When a complete submittal of a Draft EIR is received, the SCH identification number assigned to the NOP should be referenced on the NOC and/or EIR title page. If the Draft EIR has no prior SCH identification number, the SCH will assign one.

Step 5: Draft EIR Review Period

The normal review period for a Draft EIR submitted to the SCH is 45 calendar days (Public Resources Code Section 21091(a) and *CEQA Guidelines*, Section 15105). The state review period typically starts on the same date the Draft EIR is received by the SCH if (a) the document is received by noon, and (b) the submittal is complete. Documents received after noon typically are distributed the next working day. Day 1 of the review period is the date the document is distributed by the SCH. The review period ends on the 45th calendar day thereafter, excluding weekends and holidays. On the next working day following the close of the review period, the SCH will prepare and mail a closing letter to the Lead Agency. Attached to the closing letter will be copies of any comments received from state agencies.

A shortened state review period of not less than 30 days may be granted under exceptional circumstances (see page 7). Lead Agencies may request or provide for a longer review period than 45 days. For projects with state agency review periods longer than 30 days, the public review period must be as long as the assigned state agency review period (Public Resources Code Section 21091(c)).

Step 6: Review of Draft EIR

A Draft EIR sent to the SCH is reviewed briefly by the SCH staff to determine its scope and to identify the state agencies that should review it. A distribution list is attached to the NOC form, review dates assigned, and the documents distributed to selected agencies. Reviewing agencies are selected for their expertise in a particular subject matter or geographical area, or based on their responsibility for particular types of projects. Appendix F of this *Handbook* contains a listing of all state agencies to whom the SCH may send environmental documents for review.

Environmental Impact Report Checklist of Responsibilities		Lead Agency	State Clearinghouse	Reviewing Agency
1	Send NOP to the SCH with distribution list; send NOP to each responsible and trustee state agency.	✗		
2	Assign the SCH identification number, check distribution, send to additional state agencies if necessary.		✗	
3	Review NOP and send comments to Lead Agency with copy to the SCH within 30 days of receipt.			✗
4	Prepare DEIR and send 15 copies with NOC form to the SCH.	✗		
5	Assign DEIR state review period (normally 45 days) and distribute to selected state agencies.		✗	
6	Review and comment on DEIR. Send comments to the SCH within assigned review period.			✗
7	Forward comments to Lead Agency at end of review period with a closing letter.		✗	
8	<ul style="list-style-type: none"> Respond to comments Prepare and certify FEIR Make decision on the project 	✗		
9	File NOD with the county clerk if project is approved. Also file NOD with the SCH if project requires discretionary approval from state agency.	✗		

When the Draft EIR is received by reviewing state agencies, those agencies may assign the document to staff members for review, analysis and comment. Some state agencies refer the document to a regional office while others rely on their Sacramento staff. Agency comments are forwarded to the SCH prior to the end of the assigned review period.

State agencies may request from the Lead Agency, an extension of a review period while a document is under review. If the extension is granted, the Lead Agency should notify the SCH in writing.

See *CEQA Guidelines*, Section 15096(d) for more information on how Responsible and Trustee state agencies are expected to comment.

Step 7: Draft EIR Comments

On the next working day following the close of the review period, the SCH staff will forward a complete package of state comments to the Lead Agency.

Step 8: Final EIR

Although it is not required that Final EIRs be filed with the SCH, we will circulate them to state agencies at the request of Lead Agencies, provided adequate copies are submitted.

Step 9: Notice of Determination

Within five working days of approving a project for which an EIR was prepared, a local Lead Agency must file a Notice of Determination (NOD) with the county clerk of the county or counties where the project will be located. If the project requires discretionary approval from a state agency, the NOD must also be filed with the SCH. State Lead Agencies must file the NOD with the SCH. The NOD must be signed by the proper authority of the Lead Agency and completed in full before the SCH will post it.

The information required in a NOD is listed in Section 15094 of the *CEQA Guidelines* and a sample form is provided in this *Handbook*. The filing and posting of the NOD begins a 30 day statute of limitations on court challenges to the project approval under CEQA.

At the time of filing of the NOD, Lead Agencies are required to

pay an environmental filing fee to the California Department of Fish and Game (DFG) unless the project will have no effect on fish and wildlife (see Fish and Game Code Section 711.4(c)(2)). The fee for EIRs is subject to change annually, pursuant to Fish and Game Code Section 713. Please consult DFG's website at www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html for more information.

The environmental filing fee, if paid by a state agency, must be submitted to OPR, made payable to the DFG. If paid by a local agency, it must be paid to the county clerk. The SCH cannot post a NOD from a state agency without proof of payment of the required Fish and Game filing fee, or a "no effect" determination.

Helpful Hints

- Send all NOPs to the SCH.
- Send the NOP to Responsible and Trustee agencies using certified mail or a similar method to ensure documentation of receipt.
- Submit one NOC with your NOP and/or Draft EIR.
- Submit 15 copies of each Draft EIR. Submit additional copies if you have identified more than 15 state agencies that should receive a copy.
- Include a cover letter to the SCH if you have special instructions.
- Advise the SCH in advance if your Draft EIR may require special handling.
- Plan ahead if you need a shortened review by calling the SCH before mailing your document.
- Call the SCH in advance if you have any questions regarding these procedures.
- The SCH does not retain copies of all environmental documents it receives.
- Contact the Department of Fish and Game by phone at (916) 651-0603 or visit their website at www.dfg.ca.gov if you believe your project will have no effect on fish and wildlife.
- For complete submittals, assume the 45 day review period will commence within 24 hours of submittal to the SCH.

Submission of Electronic CEQA Documents to SCH

To take advantage of the cost and time savings afforded by electronic documents, the SCH will accept electronic copies of CEQA documents under the conditions outlined in this section. Submission of CEQA documents in electronic format is voluntary on the part of the Lead Agency.

The following policy does not invalidate *CEQA Guidelines*, Section 15205, which requires a public agency submitting

printed (hardcopy) documents to the SCH to send an electronic copy of the document, *if available*.

Electronic documents shall be on CD and in a common file format, such as Adobe PDF or Microsoft Word.

For EIRs and Negative Declarations, Lead Agencies **must** provide 15 copies of the CD to the SCH. In addition,

each CD **must** be accompanied by 15 printed copies of an associated summary such as:

- Draft EIR summary (described in *CEQA Guidelines*, Section 15123), or an executive summary,
- Initial study, introduction section, or executive summary of a Negative Declaration.

This allows the SCH and the reviewing agencies to efficiently route the document to the proper persons. Provide one hardcopy of a Notice of Completion form with each submittal of a Negative Declaration or Draft EIR.

Special Considerations

When submitting electronic copies of CEQA documents for certain types of projects, particularly large infrastructure projects including airport expansions, the SCH may request a certain number of print copies of the full Negative Declaration or Draft EIR in addition to the 15 CD copies. Lead Agencies shall be expected to honor these special requests for additional print copies.

Please contact the SCH if you have any questions regarding the submission and circulation of environmental documents in electronic format.

Requesting a Shortened Review Period

Under exceptional circumstances, and when requested by the Lead Agency, the SCH may shorten the normal review periods for draft Negative Declarations and EIRs. It is **strongly advised** that the Lead Agency contact the SCH prior to submitting a request for shortened review.

Written requests for a shortened reviews **must** be submitted to the SCH together with the required 15 copies of the draft environmental document. The request letter must explain why the shortened review is needed and identify prior approval from Responsible and Trustee state agencies. Certain types of projects are *not* eligible for shortened reviews. Refer to the Shortened Review Request Procedures and criteria (Public Resources Code, Section 21091(e)).

Criteria for Approving a Shortened Review

A request for a shortened review period will only be considered prior to the start of the state review period. The SCH will not shorten a review period while the regular review period is running. Shortened reviews are not granted for projects considered to be of statewide, regional, or areawide significance (see page 9 for details). The SCH will consider a request for a shortened review if one or more of the following criteria are met (*CEQA Guidelines*, Appendix K):

- 1) The lead agency is operating under an extension of the one-year period for completion of an EIR and would not otherwise be able to complete the EIR within the extended period.
- 2) The public project applicant is under severe time constraints with regard to obtaining financing or exercising options which cannot be met without shortening the review period.
- 3) The document is a supplement to a Draft EIR or proposed negative declaration or mitigated negative declaration previously submitted to the State Clearinghouse.
- 4) The health and safety of the community would be at risk unless the project is approved expeditiously.
- 5) The document is a revised Draft EIR, or proposed negative declaration or mitigated negative declaration, where changes

in the document are primarily the result of comments from agencies and the public.

Step 1: Before Requesting a Shortened Review

Before submitting a shortened review request, the Lead Agency must have obtained verbal or written approval for a shortened review period from Responsible and Trustee state agencies. An application for a shortened review must identify which state agencies have been contacted and the agencies' responses to the request for a shortened review.

The Lead Agency should provide evidence that there has been prior consultation with Responsible and Trustee state agencies. In the case of a Draft EIR, the Lead Agency should have sent a NOP to the Responsible and Trustee state agencies. For Negative Declarations, the Lead Agency should have previously consulted, formally or informally, with Responsible and Trustee state agencies.

Step 2: Submitting a Shortened Review Request

The request must be made to the SCH in writing by the decision-making body of the Lead Agency, or an authorized representative of the Lead Agency (e.g., City Manager or Planning Director), and shall be made on Lead Agency letterhead. When submitted by a representative, a copy of the resolution or ordinance from the decision-making body of the Lead Agency delegating authority should be attached.

A Shortened Review Request Form (Form E of this *Handbook* or online at www.opr.ca.gov/index.php?a=planning/publications.html) must also be completed and attached to the letter.

The request must explain the "exceptional circumstances" that warrant the shortened review. Identify which of the 5 criteria are met. The request must be accompanied by 15 copies of the environmental document properly collated with any supplemental documents.

Step 3: Approval/Denial of Request

After reviewing the written request and the environmental document, the SCH will either approve or deny the request. The SCH will notify the Lead Agency within 24 hours of its decision.

Helpful Hints

- Determine whether the project has statewide, regional, or areawide significance as defined in *CEQA Guidelines*, Section 15206 (see page 9). If it does, then a shortened review will not be approved.
 - SCH approval of a shortened review period must be granted before the Lead Agency issues the public notice of availability.
 - The public review period must be at least as long as the review period set by the SCH.
 - The review period for a Negative Declaration shall not be shorter than 20 days. The Lead Agency must specify the requested length of the shortened review period.
 - The review period for a Draft EIR shall not be shorter than 30 days. The Lead Agency must specify the requested length of the shortened review period.
 - Plan ahead if you need a shortened review by calling the SCH before mailing your document.
 - Contact the SCH in advance if you have any questions regarding these procedures.
-

Lead Agency Designation

In the event that a dispute arises as to which agency is the Lead Agency for a project subject to CEQA, Public Resources Code (PRC) Section 21165 authorizes the Governor's Office of Planning and Research (OPR) to designate the Lead Agency for the project. The PRC defines a Lead Agency dispute as a contested, active difference of opinion between two or more public agencies as to which of those agencies shall prepare any necessary environmental document. A dispute exists where each of those agencies claims that it either has or does not have the obligation to prepare that environmental document.

If a dispute is determined to exist, the disputing agencies should consult with each other in order to resolve the dispute (Title 14, Cal. Code of Regs, Section 16013).

If the dispute cannot be resolved, a request for the designation of the Lead Agency may be submitted in writing to the OPR Director. The regulations for the designation of a Lead Agency are described in the California Code of Regulations Section 16000 et. seq. The request must be signed by an executive of the public agency making the request or by the project applicant. A complete request shall contain:

- 1) Written information regarding the general nature of the dispute and proof that the requesting agency and other disputing agencies have consulted in an effort to resolve the dispute.
- 2) A statement of contentions from each disputing agency as described in California Code of Regulations Section 16015.
- 3) Written information showing that the agency or applicant requesting the designation has given notice in writing to, and such notice has been received by, all disputing agencies and the project applicant. The notice must state that the dispute is being submitted to OPR for resolution and that each disputing agency is required to send a statement of contentions to OPR within 10 days after receiving the notice.

The OPR Director may designate the Lead Agency on the basis of the written statements, or may require a hearing to determine the Lead Agency. The designation of the Lead Agency for the project will be made within 21 days after the receipt by OPR of a completed request. The decision of the Director is final and binding on the parties to the dispute.

Projects of Statewide, Regional, or Areawide Significance

(From *CEQA Guidelines*, Section 15206)

- (a) Projects meeting the criteria in this section shall be deemed to be of statewide, regional, or areawide significance.
- (1) A draft EIR or negative declaration prepared by any public agency on a project described in this section shall be submitted to the State Clearinghouse and should be submitted also to the appropriate metropolitan area council of governments for review and comment. The notice of completion form required by the State Clearinghouse must be submitted together with the copies of the EIR and may be submitted together with the copies of the negative declaration. The notice of completion form required by the State Clearinghouse is included in Appendix C. If the lead agency uses the on-line process for submittal of the notice of completion form to the State Clearinghouse, the form generated from the Internet shall satisfy this requirement (refer to www.ceqanet.ca.gov).
 - (2) When such documents are submitted to the State Clearinghouse, the public agency shall include, in addition to the printed copy, a copy of the document in electronic format on a diskette or by electronic mail transmission, if available.
- (b) The Lead Agency shall determine that a proposed project is of statewide, regional, or areawide significance if the project meets any of the following criteria:
- (1) A proposed local general plan, element, or amendment thereof for which an EIR was prepared. If a Negative Declaration was prepared for the plan, element, or amendment, the document need not be submitted for review.
 - (2) A project has the potential for causing significant effects on the environment extending beyond the city or county in which the project would be located. Examples of the effects include generating significant amounts of traffic or interfering with the attainment or maintenance of state or national air quality standards. Projects subject to this subdivision include:
 - (A) A proposed residential development of more than 500 dwelling units.
 - (B) A proposed shopping center or business establishment employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space.
 - (C) A proposed commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space.
 - (D) A proposed hotel/motel development of more than 500 rooms.
 - (E) A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or encompassing more than 650,000 square feet of floor area.
 - (3) A project which would result in the cancellation of an open space contract made pursuant to the California Land Conservation Act of 1965 (Williamson Act) for any parcel of 100 or more acres.
 - (4) A project for which an EIR and not a Negative Declaration was prepared which would be located in and would substantially impact the following areas of critical environmental sensitivity:
 - (A) The Lake Tahoe Basin.
 - (B) The Santa Monica Mountains Zone as defined by Section 33105 of the Public Resources Code.
 - (C) The California Coastal Zone as defined in, and mapped pursuant to, Section 30103 of the Public Resources Code.
 - (D) An area within 1/4 mile of a wild and scenic river as defined by Section 5093.5 of the Public Resources Code.
 - (E) The Sacramento-San Joaquin Delta, as defined in Water Code Section 12220.
 - (F) The Suisun Marsh as defined in Public Resources Code Section 29101.
 - (G) The jurisdiction of the San Francisco Bay Conservation and Development Commission as defined in Government Code Section 66610.
 - (5) A project which would substantially affect sensitive wildlife habitats including but not limited to riparian lands, wetlands, bays, estuaries, marshes, and habitats for endangered, rare and threatened species as defined by Section 15380 of this Chapter.
 - (6) A project which would interfere with attainment of regional water quality standards as stated in the approved areawide waste treatment management plan.
 - (7) A project which would provide housing, jobs, or occupancy for 500 or more people within 10 miles of a nuclear power plant.

FEDERAL GRANTS PROCESS

(Presidential Executive Order 12372)

The Governor's Office of Planning and Research (OPR), is responsible for implementing Presidential Executive Order (E.O.) 12372. This Order requires federal agencies to use state and local processes of intergovernmental coordination for the review of federal financial assistance applications, direct development activities, and environmental documents. The SCH, which is already responsible for coordinating the distribution of environmental documents, serves as the "State Single Point of Contact" for coordination of state and local review of federal financial assistance applications. Many federal financial assistance applications specifically instruct the applicant to contact the State Single Point of Contact to ensure coordination of state and local review.

The *Catalog of Federal Domestic Assistance* (CFDA) contains an appendix entitled "Programs Requiring Executive Order 12372 Review," which lists all the programs potentially subject to review by the State of California. Grant applicants should consult the OPR website (www.opr.ca.gov/index.php?a=sch/grants.html) to determine whether the program they are applying for is subject to State review. Applicants also may call the SCH to make this determination.

Of those programs generally subject to intergovernmental review, only some of them may be subject to review by the State of California. OPR is responsible for selecting the federal programs which must be reviewed by the State. If you are applying for a federal grant or loan that is on the CFDA list and it is one of the programs selected for review by the State of California, you must contact the SCH as follows.

Step 1: Submitting the FSF 424 Form

Applicants for federal assistance programs covered under E.O. 12372 must send a copy of the Federal Standard Form 424 to the SCH and to their appropriate Areawide Clearinghouse (see the list of clearinghouses on page 12). Form 424 is the cover sheet of the federal grant application and is entitled,

"Application for Federal Financial Assistance." **Do not transmit the entire application package to the SCH.**

Step 2: Review Period Begins

Form 424 is date stamped upon receipt by the SCH, which begins a 30 day review period. If a Notice of Intent to Comment is received from any agency within the first 30 days of the review period, the review period is automatically extended 30 days, allowing a total review period of not more than 60 days. This extension is intended to allow a commenting agency sufficient time to submit comments to the applicant.

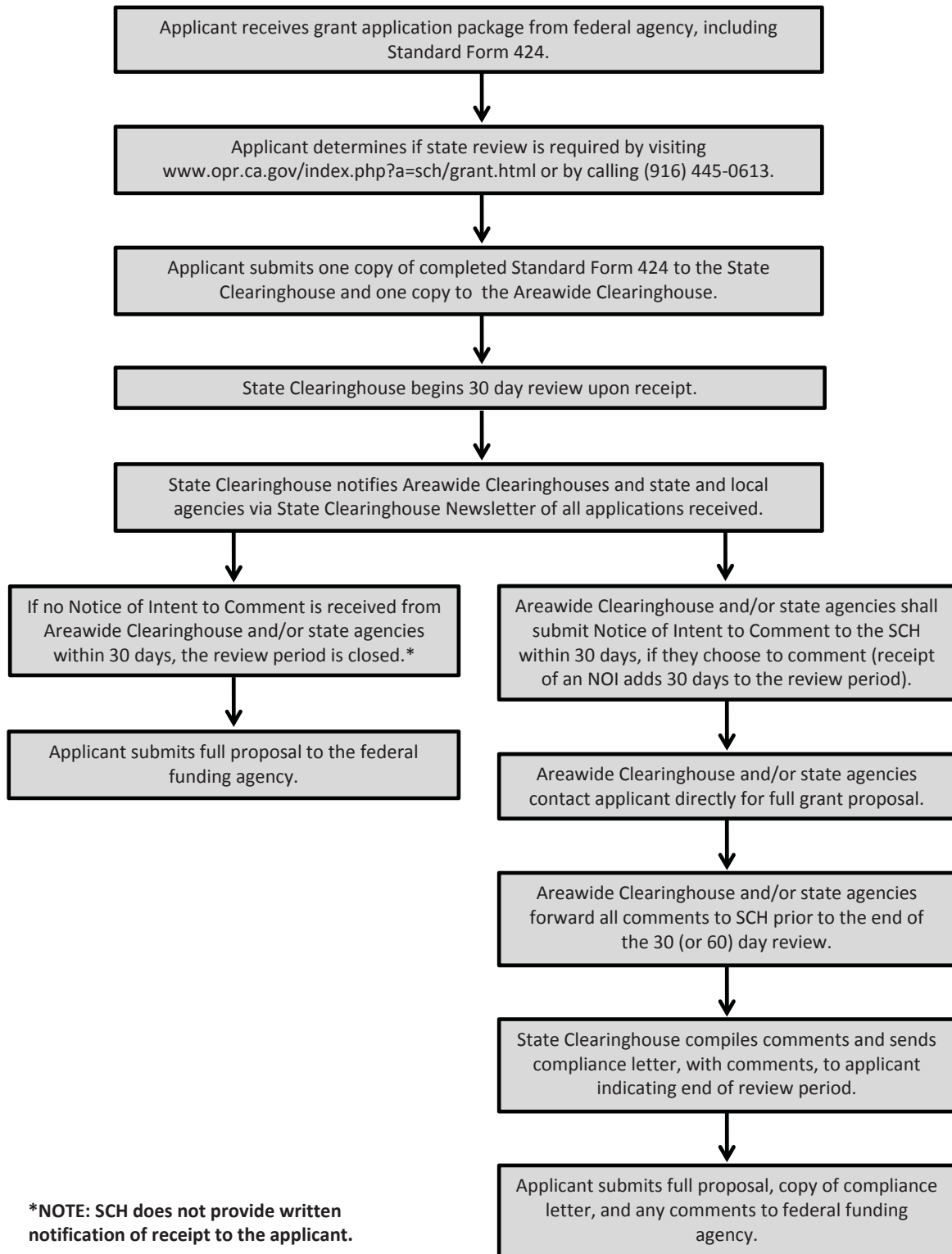
The SCH does not assign SCH identification numbers to grant applications, nor are the grant applications tracked in a database. (The grants database was discontinued prior to 1999.)

The SCH notifies the public of the grant applications by publishing a bi-monthly online *SCH Newsletter*, which is distributed to state and local agencies and private individuals, upon request. Copies of all Form 424s received by the SCH for the preceding two-week period are included in the *SCH Newsletter*. The *Newsletter* allows agencies and individuals the opportunity to review these applications, and to decide whether they would like to comment on a particular application. Since the SCH does not receive a complete copy of the federal assistance proposal, any person wishing to review a proposal must contact the applicant directly for more information.

Step 3: After the Review Period

At the end of the 30 (or 60) day comment period, the SCH will forward copies of any comment letters it receives to the applicant. If no comments are received, the SCH will not notify the applicant in writing. This ends SCH involvement in the grant review process.

Federal Grant Review



Areawide Clearinghouses

ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG)

101 Eighth Street
Oakland, CA 94604
T: (510) 464-7900
F: (510) 464-7970
info@abag.ca.gov
www.abag.ca.gov
Region: Alameda County, Contra Costa County, Marin County, Napa County, San Francisco County, San Mateo County, Santa Clara County, Solano County, Sonoma County, and 100 Cities

ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS (AMBAG)

445 Reservation Road, Suite G
Marina, CA 93933-0809
T: (831) 883-3750
F: (831) 883-3755
info@ambag.org
www.ambag.org
Region: Monterey County, Santa Cruz County, San Benito County and 18 Cities

CENTRAL SIERRA PLANNING COUNCIL AND ECONOMIC DEVELOPMENT DISTRICT

53 West Bradford Avenue, Suite 200
Sonoma, CA 95370
T: (209) 532-8768
F: (209) 532-7599
Region: Alpine County, Amador County, Calaveras County, Tuolumne County and 7 Cities

COUNCIL OF FRESNO COUNTY GOVERNMENTS

2035 Tulare Street, Suite 201
Fresno, CA 93721-2111
T: (559) 233-4148
F: (559) 233-9645
tboren@fresnocog.org
www.fresnocog.org
Region: Fresno County and 15 Cities

HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS (HCAG)

427 F Street, Suite 220
Eureka, CA 95501
T: (707) 444-8208
F: (707) 444-8319
hcaog@pacbell.net
www.hcaog.net
Region: Humboldt County and 7 Cities

KERN COUNTY COUNCIL OF GOVERNMENTS (KERN COG)

1401 19th Street, Suite 300
Bakersfield, CA 93301
T: (661) 861-2191
F: (661) 324-8215
rbrummett@kerncog.org
www.kerncog.org
Region: Kern County and 11 Cities

KINGS COUNTY ASSOCIATION OF GOVERNMENTS

339 West D Street, Suite B
Lemoore, CA 93245
T: (559) 582-3211 ext. 2654
F: (559) 924-5632
terri.king@co.kings.ca.us
www.countyofkings.com/kcag
Region: Kings County and 4 Cities

MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG)

369 West 18th Street
Merced, CA 95340
T: (209) 723-3153
F: (209) 723-0322
jesse.brown@mcagov.org
www.mcagov.org
Region: Merced County and 6 Cities

SACRAMENTO AREA COUNCIL OF GOVERNMENTS (SACOG)

1415 L Street, Suite 300
Sacramento, CA 95814
T: (916) 321-9000
F: (916) 321-9551
mmckeever@sacog.org
www.sacog.org
Region: Placer County (part), Sacramento County, Sutter County, Yolo County, Yuba County, El Dorado County and 18 Cities

SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG)

401 B Street, Suite 800
San Diego, CA 92101
T: (619) 699-1900
F: (619) 699-1905
gga@sandag.org
www.sandag.org
Region: San Diego County and 19 Cities

SAN JOAQUIN COUNTY COUNCIL OF GOVERNMENTS (SJCCOG)

555 East Weber Avenue
Stockton, CA 95202-2804
T: (209) 468-3913
F: (209) 468-1084
achesley@sjcog.org

www.sjcog.org

Region: San Joaquin County and 7 Cities

SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

260 North San Antonio Road, Suite B
Santa Barbara, CA 93110
T: (805) 961-8900
F: (805) 961-8901
jkemp@sbcag.org
www.sbcag.org
Region: Santa Barbara County and 7 Cities

SIERRA PLANNING ORGANIZATION AND ECONOMIC DEVELOPMENT DISTRICT

560 Wall Street, Suite F
Auburn, CA 95603
T: (530) 823-4703
F: (530) 823-4142
brent@sedd.org
www.sedd.org
Region: El Dorado County (part), Nevada County, Placer County (part), Sierra County and 10 Cities

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG)

818 West Seventh Street, 12th Floor
Los Angeles, CA 90017-3435
T: (213) 236-1800
F: (213) 236-1961
www.scag.ca.gov
Region: Imperial County, Los Angeles County, Orange County, Riverside County, San Bernardino County, Ventura County and 188 Cities

STANISLAUS COUNCIL OF GOVERNMENTS (STANCOG)

900 H Street, Suite D
Modesto, CA 95354
T: (209) 525-4600
F: (209) 558-7833
vharris@stancog.org
www.stancog.org
Region: Stanislaus County and 9 Cities

TULARE COUNTY ASSOCIATION OF GOVERNMENTS (TCAG)

5961 South Mooney Boulevard
Visalia, CA 93277
T: (559) 733-6291
F: (559) 730-2653
tsmalley@co.tulare.ca.us
www.tularecog.org
Region: Tulare County and 8 Cities

GENERAL ACTIVITIES AND SERVICES

Although coordinating state agency review of environmental documents and grants is the primary function of the State Clearinghouse, the office also has other responsibilities, and provides services that can be useful to those involved in the

land use field. These services include posting of certain notices, publication of a bi-monthly newsletter, and maintaining a searchable computer database of CEQA notices. These activities are discussed below.

Posting Environmental Notices

The SCH maintains a database of environmental notices filed and posts these notices on the internet (*CEQA Guidelines*, Section 15023(h)). The notices can be found at www.ceqanet.ca.gov. Notices include but are not limited to the following:

Notice of Completion

(Public Resources Code, Section 21161)

CEQA requires that a Notice of Completion be filed with the SCH by a public agency whenever a Draft EIR is completed. The SCH requests that Lead Agencies also submit a NOC for Negative Declarations and NOPs. The Notice of Completion Form is contained in the appendices to this *Handbook* or online at www.opr.ca.gov/index.php?a=planning/publications.html.

Notice of Availability

(Public Resources Code, Section 21092)

Public notice of the availability of a Draft EIR or a Negative Declaration must be provided by the Lead Agency to enable public agencies and individuals to review and comment on the document.

Minimum Contents of Public Notice of Availability:

- A. Description of proposed project;
- B. Location of proposed project;
- C. Specific period during which comments on proposed project will be accepted;
- D. Date, time, and place of any public meetings on proposed project;
- E. Address where copies of Draft EIR or Negative Declaration are available for review; and
- F. Environmental effects of the project, if any.

The notice must be provided to all organizations and individuals who previously requested notice. At least one of the following notification methods must be used:

- 1) Publication by the Lead Agency in a newspaper of general circulation in the area affected by the proposed project.
- 2) Posting of the notice by the Lead Agency on- and off-site in the area where the project is to be located.
- 3) Direct mailing to the owners and occupants of contiguous property shown on the latest equalized assessment roll.

A Notice of Availability does not need to be filed with the SCH. However, the Lead Agency may submit this notice together with its Draft EIR or Negative Declaration to provide additional information to state agencies.

Notice of Determination

(*CEQA Guidelines*, Sections 15075 and 15094)

A Notice of Determination (NOD) is a document filed by a public agency within 5 days after it approves or determines to carry out a project that is subject to the requirements of CEQA.

Filing the NOD starts a 30 calendar day statute of limitations on court challenges to the project approval under CEQA. (See p. 24 for an example of a NOD form). If a NOD is not filed, the statute of limitations is 180 days from the date of approval.

Filing requirements for state and local agencies differ as follows:

- **Local Lead Agency:** If a local Lead Agency approves the project, it must file the NOD with the county clerk of the county or counties where the project will be located within 5 working days. In addition, if the project requires discretionary approval from any state agency, the local Lead Agency must file a copy of the NOD with the SCH.
- **State Lead Agency:** When a state agency is the Lead Agency, the NOD must be filed with the SCH.

Minimum Contents of a Notice of Determination:

For a Negative Declaration

(*CEQA Guidelines*, Section 15075)

- A. Identification of the project, including its common name or title, if possible;
- B. Location of the project;
- C. Brief description of the project;
- D. Date the agency approved the project;
- E. Determination by the approving agency that the project in its approved form will not have a significant effect on the environment;

- F. Statement that a Negative Declaration was prepared pursuant to the provisions of CEQA; and
- G. Address where a copy of the environmental document and record of project approval can be examined.

For an Environmental Impact Report (EIR)

(CEQA Guidelines, Section 15094)

- A. Identification of the project, including its common name or title, if possible;
- B. Location of the project;
- C. Brief description of the project;
- D. Date the agency approved the project;
- E. Determination by the approving agency whether the project in its approved form will have a significant effect on the environment;
- F. Statement that an EIR was prepared pursuant to the provisions of CEQA;
- G. Whether mitigation measures were made a condition of the approval of the project;
- H. Whether a statement of overriding considerations was adopted for the project;
- I. Whether findings were made pursuant to Section 15091 of the CEQA Guidelines; and
- J. Address where a copy of the final EIR and record of project approval may be examined.

Additionally, the notice shall be mailed to any person who has filed a written request for such notice.

Notice of Exemption

(CEQA Guidelines, Section 15062)

A Notice of Exemption (NOE) is a brief notice that can be filed after a public agency has decided to carry out or approve a project it has determined is exempt from CEQA. The NOE is generally optional except when lead agencies are relying on statutory exemptions in Public Resources Code, Sections 21159.22, 21159.23 and 21159.24. In these cases, the NOE

must be filed with the SCH (see Public Resources Code, Section 21152.1).

For optional filing, the NOE should be filed with the county clerk or the SCH **after** the project has been approved. When a public agency approves an applicant's project, either the agency or the applicant may file a NOE.

There are different filing requirements for state agencies, local agencies, and project applicants, as follows:

- **State Lead Agency:** If a state agency, board, or commission determines that a project is not subject to CEQA, it may file a NOE with the SCH after the project has been approved.
- **Local Lead Agency:** When a local agency files a NOE, it must be filed with the county clerk of the county or counties where the project is to be located.
- **Applicant:** When an applicant files a NOE, the notice must be filed in the same place as if it were filed by the Lead Agency. Additionally, the notice shall be accompanied by a certified document issued by the public Lead Agency stating that the agency has found the project to be exempt.

Additionally, the notice must be mailed to any person who has filed a written request for such notice.

The filing of a NOE begins a 35 day statute of limitations on legal challenges to the Lead Agency's decision that the project is exempt from CEQA. If a NOE is not filed, a 180 day statute of limitations applies. (See sample NOE Form D in this *Handbook*.)

Minimum Contents of a Notice of Exemption:

- A. Brief description of the project;
- B. Finding that the project is exempt, including a citation that references the CEQA Guidelines or statutory section under which it is found to be exempt; and
- C. Brief statement of reasons to support the finding.

CEQA Database

www.ceqanet.ca.gov

Summary information of the environmental documents submitted to the SCH are recorded in an online CEQA database. This database serves as a resource for planners, consultants, and project applicants who are preparing environmental documents. The purpose of the database is to streamline the environmental document preparation process by allowing reuse of relevant information from prior documents for similar projects or issues. For environmental documents, the summary information in the database is taken directly from the NOC forms provided by the Lead Agency, and includes the following:

- A. Title of the project;
- B. Project's SCH identification number;
- C. Name and address of the Lead Agency;
- D. Name and telephone number of the contact person;
- E. Location of the project;
- F. Description of the project;
- G. Type of document submitted for review;
- H. Environmental issues discussed in the document;
- I. State agencies reviewing the document; and
- J. State review period.

The CEQA database also includes records of all Notices of Exemption, Notices of Determination, and Notices of Preparation that the SCH receives. By searching the database, Lead and Responsible agencies or other interested parties

may confirm the date that a notice was filed at the SCH. Hardcopies of all NODs and NOEs received by the SCH are kept on file for a period of five years. All paper records older than five years are removed to archives.

SCH Newsletter

The *SCH Newsletter* is published twice per month. It contains general information regarding the SCH, a brief listing of all environmental documents received (including NOPs, NOCs, NODs, NOEs, Final EIRs, etc.), and a copy of all Form 424s for federal grant applications received during the preceding

two weeks. The newsletter is posted on the OPR website at www.opr.ca.gov/index.php?a=sch/newsletter.html. The SCH will provide hardcopies of the newsletter to agencies and individuals, upon request.

Sending Faxes to SCH

Certain documents will be accepted by fax. The SCH does not require receipt of a hardcopy of the document when a faxed version is submitted. The following faxed documents are accepted by the SCH.

State Agency Comments: State agency comments on environmental documents will be accepted by fax.

Environmental Documents: The SCH will not accept Negative Declarations or Draft EIRs by fax. After pre-arrangement with the appropriate SCH staff analyst, NOPs *may* be accepted by fax.

Environmental Notices: NODs and NOEs will be accepted by fax. If the Lead Agency follows up with a duplicate mailed copy of the NOD or NOE, the Lead Agency must indicate to the SCH that a prior copy was sent by fax. This is necessary to avoid duplication of posting and data entry by the SCH staff.

Federal Grant Form 424: Federal Form 424 will be accepted by fax.

State Clearinghouse Fax Number:

(916) 323-3018

Useful Websites

<http://ceres.ca.gov/ceqa>

View and download CEQA, the *CEQA Guidelines*, court cases and other CEQA related reference documents.

www.opr.ca.gov

View and download information about OPR, SCH, local planning assistance, and OPR publications including this *SCH Handbook*.

<http://ceq.hss.doe.gov/nepa/nepanet.htm>

View and download NEPA, NEPA Regulations and related guidance.

www.cfda.gov

Access the Catalog of Federal Domestic Assistance (CFDA) to find grants and grant identification numbers to verify if it requires State review.

GENERAL CEQA INFORMATION

Purposes of Review

As defined in the *CEQA Guidelines*, Section 15200, the purposes of reviewing Environmental Impact Reports (EIRs) and Negative Declarations include:

- a) Sharing expertise,
 - b) Disclosing agency analyses,
 - c) Checking for accuracy,
 - d) Detecting omissions,
 - e) Discovering public concerns, and
 - f) Soliciting counter proposals.
-

Types of Agencies

The following are definitions of various types of agencies with roles and responsibilities in the CEQA process.

Lead Agency (*CEQA Guidelines*, Section 15367): the public agency that has the principal responsibility for carrying out or approving a project. Criteria for determining which agency will be the Lead Agency for a project are contained in *CEQA Guidelines*, Section 15051.

Local Agency (*CEQA Guidelines*, Section 15368): any public agency other than a state agency, board, or commission.

Public Agency (*CEQA Guidelines*, Section 15379): includes any state agency, board, or commission and any local or regional agency, as defined in the *CEQA Guidelines*. It does not include agencies of the federal government.

Responsible Agency (*CEQA Guidelines*, Section 15381): a public agency that proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration. For purposes of CEQA, the term

“Responsible Agency” includes all public agencies other than the Lead Agency that have discretionary approval power over the project.

State Agency (*CEQA Guidelines*, Section 15383): a governmental agency in the executive branch of state government and funded primarily by the State Treasury. Health and Safety Code Section 25199.1 (o) defines a “state agency” as “any agency, board, or commission of state government . . . include[ing] an air pollution control district and an air quality management district.”

Trustee Agency (*CEQA Guidelines*, Section 15386): a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. Trustee agencies include:

- California Department of Fish and Game
 - California State Lands Commission
 - California Department of Parks and Recreation
 - University of California
-

Types of Documents

It is the responsibility of the Lead Agency to determine the appropriate type of CEQA document for a project based on the CEQA Statutes and *CEQA Guidelines*.

Negative Declaration (*CEQA Guidelines*, Section 15371): a written statement by the Lead Agency briefly describing the reasons why a proposed project, not exempt from CEQA, will not have a significant effect on the environment and, therefore, does not require the preparation of an EIR.

The contents of the Negative Declaration are described in *CEQA Guidelines*, Section 15071.

Environmental Impact Report (*CEQA Guidelines*, Section 15362): a detailed statement prepared under CEQA describing and analyzing the significant environmental effects of a project

and discussing ways to mitigate or avoid the effects. The contents are also listed under *CEQA Guidelines*, Article 9.

Notice of Preparation (*CEQA Guidelines*, Section 15375): a brief notice sent by a Lead Agency to notify the Responsible, Trustee, and involved federal agencies that the Lead Agency plans to prepare an EIR for the project. The purpose of the notice is to solicit guidance from those agencies as to the scope and content of the environmental information to be included in the EIR.

Project EIR (*CEQA Guidelines*, Section 15161): The most common type of EIR examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine

all phases of the project including planning, construction, and operation.

Program EIR (*CEQA Guidelines*, Section 15168): an EIR that may be prepared on a series of actions that can be characterized as one large project and are related either geographically, or are “logical parts in the chain of contemplated actions, or are in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.”

Supplement to an EIR (*CEQA Guidelines*, Section 15163): The Lead or Responsible Agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

The supplement to the EIR needs only to contain the information necessary to make the previous EIR adequate for the project, as revised. A supplement to an EIR shall be given the same kind of notice and public review as is given to a Draft EIR under Section 15087 of the *CEQA Guidelines*. A supplement to an EIR may be circulated by itself without re-circulating the previous draft or final EIR.

Subsequent EIR and Negative Declaration (*CEQA Guidelines*, Section 15162): Where an EIR or Negative Declaration has been prepared, it is not necessary to prepare an additional EIR or Negative Declaration unless substantial changes occur with respect to the circumstances under which the project is undertaken, and these changes will require important revisions in the previous EIR or Negative Declaration due to the involvement of new significant environmental impacts not covered in a previous document.

Addendum to an EIR or Negative Declaration (*CEQA Guidelines*, Section 15164): The Lead or Responsible Agency shall prepare an addendum to an EIR or Negative Declaration if only minor technical changes or additions are necessary to make the document adequate, and the changes made by the addendum do not raise important new issues about the significant effects on the environment.

An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted Negative Declaration. The decision-making body shall consider the addendum with the final EIR or Negative Declaration prior to making a decision on the project.

Final EIR (*CEQA Guidelines*, Sections 15132 and 15362): an EIR containing information from the Draft EIR, comments either verbatim or in summary received in the review process, a list of persons commenting, and the response of the Lead Agency to the comments received.

Commenting on CEQA Documents

Authority to Comment (*CEQA Guidelines*, Section 15044): Any person or entity other than a Responsible Agency may submit comments to a Lead Agency concerning any environmental effects of a project being considered by the Lead Agency.

Comments by e-mail (Public Resources Code, Section 21091[d][3]): The Lead Agency must accept comments on a Draft EIR, Negative Declaration or any CEQA notice via e-mail and must treat e-mail comments as equivalent to written comments.

Response to Notice of Preparation (*CEQA Guidelines*, Section 15082[b] and Section 15103): Within 30 days after receiving the Notice of Preparation, each Responsible Agency shall provide the Lead Agency with specific detail about the scope and content of the environmental information related to the Responsible Agency’s area of statutory responsibility which must be included in the Draft EIR.

The response, at a minimum, shall identify the significant environmental issues and reasonable alternatives and mitigation measures that the Responsible Agency will need to have explored in the Draft EIR. The response shall also

identify whether the agency will be a Responsible Agency or Trustee Agency for the project.

If a Responsible Agency fails to reply within 30 days with either a response or a well-justified request for additional time, the Lead Agency may assume that the Responsible Agency has no response to make and ignore a late response.

Responsible Agency Comments on Draft EIRs and Negative Declarations (*CEQA Guidelines*, Section 15096[d]):

A Responsible Agency should review and comment on Draft EIRs and Negative Declarations for projects that the Responsible Agency would later be asked to approve. Comments should focus on any shortcomings in the EIR, the appropriateness of using a Negative Declaration, or additional alternatives or mitigation measures the EIR should include. The comments shall be limited to those project activities within the agency’s area of expertise or that are required to be carried out or approved by the agency or that will be subject to the exercise of powers by the agency. Comments shall be as specific as possible and supported by either oral or written documentation.

Consideration of Comments on a Negative Declaration (*CEQA Guidelines*, Section 15074[b]): Prior to approving the project, the decision-making body of the Lead Agency shall consider the proposed Negative Declaration together with any comments received during the public review process. They shall approve the project if they find there is no substantial evidence the project will have a significant effect on the environment.

Evaluation of and Response to EIR Comments (*CEQA Guidelines*, Section 15088): The Lead Agency shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare a written response. The Lead Agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.

The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the Lead Agency's position varies from recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.

The response to comments may take the form of a revision to the Draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the Draft EIR, the Lead Agency should either revise the text in the body of the EIR, or include marginal notes showing that the information is revised in the response to comments.

Contents of the Final EIR (*CEQA Guidelines*, Section 15132): The Final EIR shall consist of, among other things, the responses of the Lead Agency to significant environmental points raised in the review and consultation process.

Failure to Comment (*CEQA Guidelines*, Section 15207): If any public agency or person who is consulted with regard to an EIR or Negative Declaration fails to comment within a reasonable time as specified by the Lead Agency, it shall be assumed, without a request for a specific extension of time, that such agency or person has no comment to make. Although the Lead Agency need not respond to late comments, it may choose to respond.

Retention and Availability of Comments (*CEQA Guidelines*, Section 15208): Comments received through the consultation process shall be retained for a reasonable period and available for public inspection at an address given in the final EIR. Comments that may be received on a Draft EIR or Negative Declaration under preparation shall also be considered and kept on file.

STATE CLEARINGHOUSE FORMS

This section contains the standard forms used by the SCH. Although the forms in this section have been carefully developed to transmit the information required under CEQA, the Statute does not require agencies to use these particular forms. Agencies are free to devise their own forms. However, agencies choosing to create their own forms must be sure to include all the information required in the *CEQA Guidelines*.

The SCH strongly encourages Lead Agencies to use the following forms, especially when state level review is required.

Form A: Notice of Completion

CEQA Guidelines, Section 15085 requires agencies to file a Notice of Completion (NOC) form with OPR as soon as the Draft EIR is complete. If the Draft EIR will be subject to a state review period, the SCH requires that the NOC form accompany the submittal of the required 15 copies of the environmental document.

The NOC form should be used as a document transmittal form when submitting any type of environmental document to the SCH. Note the *Document Type* section on the form and check the appropriate box. This form expedites the processing of environmental documents submitted to the SCH for review. The SCH also requests that this form be used when submitting Negative Declarations, Notices of Preparation and federal environmental documents.

Form B: Notice of Preparation

CEQA Guidelines, Section 15082 discusses the required contents of a Notice of Preparation (NOP). All Notices of Preparation are required by law to be submitted to the SCH.

Form C: Notice of Determination

CEQA Guidelines, Sections 15075 and 15904 outline the content requirements for filing a Notice of Determination (NOD). The NOD form in this *Handbook* can be used to file with the SCH and/or the county clerk.

Form D: Notice of Exemption

CEQA Guidelines, Section 15062 discusses the content requirements for filing a Notice of Exemption (NOE). The NOE form in this *Handbook* can be used to file with the SCH and/or the county clerk.

Form E: Shortened Review Request

Public Resources Code Section 21091 allows for shortened review periods under certain circumstances. Appendix K of the *CEQA Guidelines* contains the criteria for receiving a shortened review. A form for requesting shortened review has been provided in this *Handbook* to ensure that the requesting agency provides all the information necessary for the SCH to make a determination. For more information on this process, refer to the *Shortened Review Process* section of this *Handbook* (see p. 7).

Explanation of the Notice of Completion Form

Form A is **required** to be submitted with 15 copies of every draft Environmental Impact Report (*CEQA Guidelines*, Section 15085[d]) and requested and **strongly advised** to be submitted with 15 copies of every Negative Declaration, Notice of Preparation and federal environmental document that is reviewed through the State Clearinghouse.

LEAD AGENCY

Project Title: Project's common name. It is best to use project specific words to facilitate database searches.

Lead Agency: Name of the public agency that has legal responsibility for preparation and review of the environmental document.

Contact Person: Name of the contact person from the Lead Agency. This should not be the consultant's name.

Mailing Address: Mailing address for the contact person at the Lead Agency. State comments will be mailed to this address.

Phone: Phone number of the contact person at the Lead Agency.

City: City of the Lead Agency address. This is not necessarily the city in which the project is located.

Zip: Zip code of the Lead Agency. Indicate the nine-digit zip code, if applicable.

County: County of the Lead Agency address. This is not necessarily the county in which the project is located.

PROJECT LOCATION

County: County in which the project is located. Most state agencies assign projects for review according to the county of the project. The SCH is not always able to determine the location of the project based on the address of the Lead Agency. An example of this issue is the City of Los Angeles Department of Airport's projects located at Ontario International Airport, in San Bernardino County.

City/Nearest Community: City or town in which the project is located, or the community nearest the location of the project.

Latitude and Longitude: SB 1046 (Chapter 253, 2007) requires the Lead Agency to provide the latitude and longitude for the project location on the Notice of Completion form (PRC 21161).

Total Acres: The total area encompassed by the project site gives some indication of the scope of the project and its regional significance.

Cross Streets: Indicate the nearest major cross street or streets.

Assessor's Parcel Number: Indicate the Assessor's Parcel Number for locational purposes.

Section, Township, Range and Base: Indicate base meridian. If you are unable to provide the Assessor's Parcel Number, also indicate Section, Township, and Range.

Highways, Airports, Railroads, Schools, and Waterways (including streams or lakes): These identifiers are of consequence to many projects. By restricting the information to those features within a two-mile radius of the project site, unnecessary data collection can be avoided. Indicate name(s) of the waterways, airports, railroads, schools, and route number(s) of the state highways.

DOCUMENT TYPE

This identifies the nature of the environmental document. Check appropriate blank(s).

LOCAL ACTION TYPE

This helps reviewers understand the type of local approvals that will be required for the project and the nature of the project and its environmental documentation. Check appropriate blanks.

DEVELOPMENT TYPE

This data category helps identify the scope of the project for distribution purposes. Additionally, the information serves to identify projects of a similar character to assist in the reuse of environmental documents. For some of the development types, the form asks for the number of acres, square footage, and number of permanent employees. Check and fill in appropriate blanks.

PROJECT ISSUES DISCUSSED IN DOCUMENT

These are topics on which the environmental document focuses attention. These are not necessarily the adverse impacts of the project, but the issues which are discussed in some depth. Check appropriate blanks.

PRESENT LAND USE AND ZONING

This enables the agencies to understand the extent of the changes proposed and again helps to identify projects with similar environmental issues for later reuse of information.

PROJECT DESCRIPTION

This response should provide a brief (1-2 paragraph) description of the proposed project, yet thorough enough for the reviewing agencies to understand the total project concept. The data categories can provide guidance and structure to the explanation given.

REVIEWING AGENCIES CHECKLIST

The second page of the form lists the agencies and departments to whom the SCH may distribute a draft document. The Lead Agency can indicate for the SCH's information any Responsible, Trustee, or concerned agencies they would like to review the document, or who have previously been involved in the project's review. Any agencies that received the document directly from the Lead Agency also should be marked accordingly.

LOCAL PUBLIC REVIEW PERIOD

This section is to be filled in when the Notice of Completion form is being filed and not being submitted with environmental documents.

CONSULTING FIRM

This information is to be filled in only if applicable.

APPLICANT

This identifies whether the applicant/project proponent is a private developer or the Lead Agency.

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613

For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #**Project Title:** _____

Lead Agency: _____ Contact Person: _____

Mailing Address: _____ Phone: _____

City: _____ Zip: _____ County: _____

Project Location: County: _____ City/Nearest Community: _____

Cross Streets: _____ Zip Code: _____

Longitude/Latitude (degrees, minutes and seconds): _____° _____' _____" N / _____° _____' _____" W Total Acres: _____

Assessor's Parcel No.: _____ Section: _____ Twp.: _____ Range: _____ Base: _____

Within 2 Miles: State Hwy #: _____ Waterways: _____

Airports: _____ Railways: _____ Schools: _____

Document Type:

CEQA: ☐ NOP ☐ Draft EIR NEPA: ☐ NOI Other: ☐ Joint Document
☐ Early Cons ☐ Supplement/Subsequent EIR ☐ EA ☐ Final Document
☐ Neg Dec (Prior SCH No.) _____ ☐ Draft EIS ☐ Other: _____
☐ Mit Neg Dec Other: _____ ☐ FONSI _____

Local Action Type:

☐ General Plan Update ☐ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☐ Other: _____

Development Type:

☐ Residential: Units _____ Acres _____ ☐ Transportation: Type _____
☐ Office: Sq.ft. _____ Acres _____ Employees _____ ☐ Mining: Mineral _____
☐ Commercial: Sq.ft. _____ Acres _____ Employees _____ ☐ Power: Type _____ MW _____
☐ Industrial: Sq.ft. _____ Acres _____ Employees _____ ☐ Waste Treatment: Type _____ MGD _____
☐ Educational: _____ ☐ Hazardous Waste: Type _____
☐ Recreational: _____ ☐ Other: _____
☐ Water Facilities: Type _____ MGD _____

Project Issues Discussed in Document:

☐ Aesthetic/Visual ☐ Fiscal ☐ Recreation/Parks ☐ Vegetation
☐ Agricultural Land ☐ Flood Plain/Flooding ☐ Schools/Universities ☐ Water Quality
☐ Air Quality ☐ Forest Land/Fire Hazard ☐ Septic Systems ☐ Water Supply/Groundwater
☐ Archeological/Historical ☐ Geologic/Seismic ☐ Sewer Capacity ☐ Wetland/Riparian
☐ Biological Resources ☐ Minerals ☐ Soil Erosion/Compaction/Grading ☐ Growth Inducement
☐ Coastal Zone ☐ Noise ☐ Solid Waste ☐ Land Use
☐ Drainage/Absorption ☐ Population/Housing Balance ☐ Toxic/Hazardous ☐ Cumulative Effects
☐ Economic/Jobs ☐ Public Services/Facilities ☐ Traffic/Circulation ☐ Other: _____

Present Land Use/Zoning/General Plan Designation:**Project Description:** (please use a separate page if necessary)

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".

If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Emergency Services
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Regional WQCB # _____
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Fish & Game Region # _____	<input type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> General Services, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Integrated Waste Management Board	
<input type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date _____ Ending Date _____

Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: _____
Phone: _____	

Signature of Lead Agency Representative: _____ Date: _____

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Notice of Preparation

To: _____ From: _____

 (Address) (Address)

Subject: Notice of Preparation of a Draft Environmental Impact Report

_____ will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (☐ is ☐ is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to _____ at the address shown above. We will need the name for a contact person in your agency.

Project Title: _____

Project Applicant, if any: _____

Date _____ Signature _____
 Title _____
 Telephone _____

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

Notice of Determination

Form C

To:

☐ Office of Planning and Research

For U.S. Mail:

P.O. Box 3044

Sacramento, CA 95812-3044

Street Address:

1400 Tenth St.

Sacramento, CA 95814

☐ County Clerk

County of: _____

Address: _____

From:

Public Agency: _____

Address: _____

Contact: _____

Phone: _____

Lead Agency (if different from above):

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): _____

Project Title: _____

Project Location (include county): _____

Project Description:

This is to advise that the _____ has approved the above described project on

☐ Lead Agency or ☐ Responsible Agency

_____ and has made the following determinations regarding the above described project:

(Date)

1. The project [☐ will ☐ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☐ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☐ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☐ was not] adopted for this project.
6. Findings [☐ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at: _____

Signature (Public Agency) _____ Title _____

Date _____

Date Received for filing at OPR _____

Notice of Exemption

Form D

To: Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) _____

County Clerk

County of _____

(Address)

Project Title: _____

Project Location - Specific: _____

Project Location – City: _____ Project Location – County: _____

Description of Nature, Purpose and Beneficiaries of Project: _____

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one)**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt: _____

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☐ Signed by Lead Agency

☐ Signed by Applicant

Date received for filing at OPR: _____

Revised 2005

Shortened Review Request Form

Form E

(To be filled out and signed by the **Lead Agency** and submitted with DEIR or Negative Declaration to SCH)

To: State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044

From: _____
Lead Agency: _____

Address _____

Phone #: () _____

SCH # _____

Contact: _____

Project Title: _____

Project Location: _____
City *County*

Explain "exceptional circumstances" (CEQA, Section 15205(d)) for requesting a shortened review. Identify which of the 5 criteria in Appendix K are met for this project.

List responsible and trustee state agencies with contact person, phone number and date of consent for the shortened review, as well as any agencies that have commented on the project (attach additional pages, if necessary):

Length of review being requested: _____ days

As designated representative for the lead agency, I verify, in their behalf, that this project is not a project of statewide, regional, or areawide significance, defined in the *CEQA Guidelines* Section 15206.

Today's Date

Print Name

Signature

APPENDIX A

Environmental Documents and Projects Requiring State Clearinghouse Review

As required by the *CEQA Guidelines*, Sections 15205 and 15206, the following types of environmental documents must be submitted to the State Clearinghouse for state agency review:

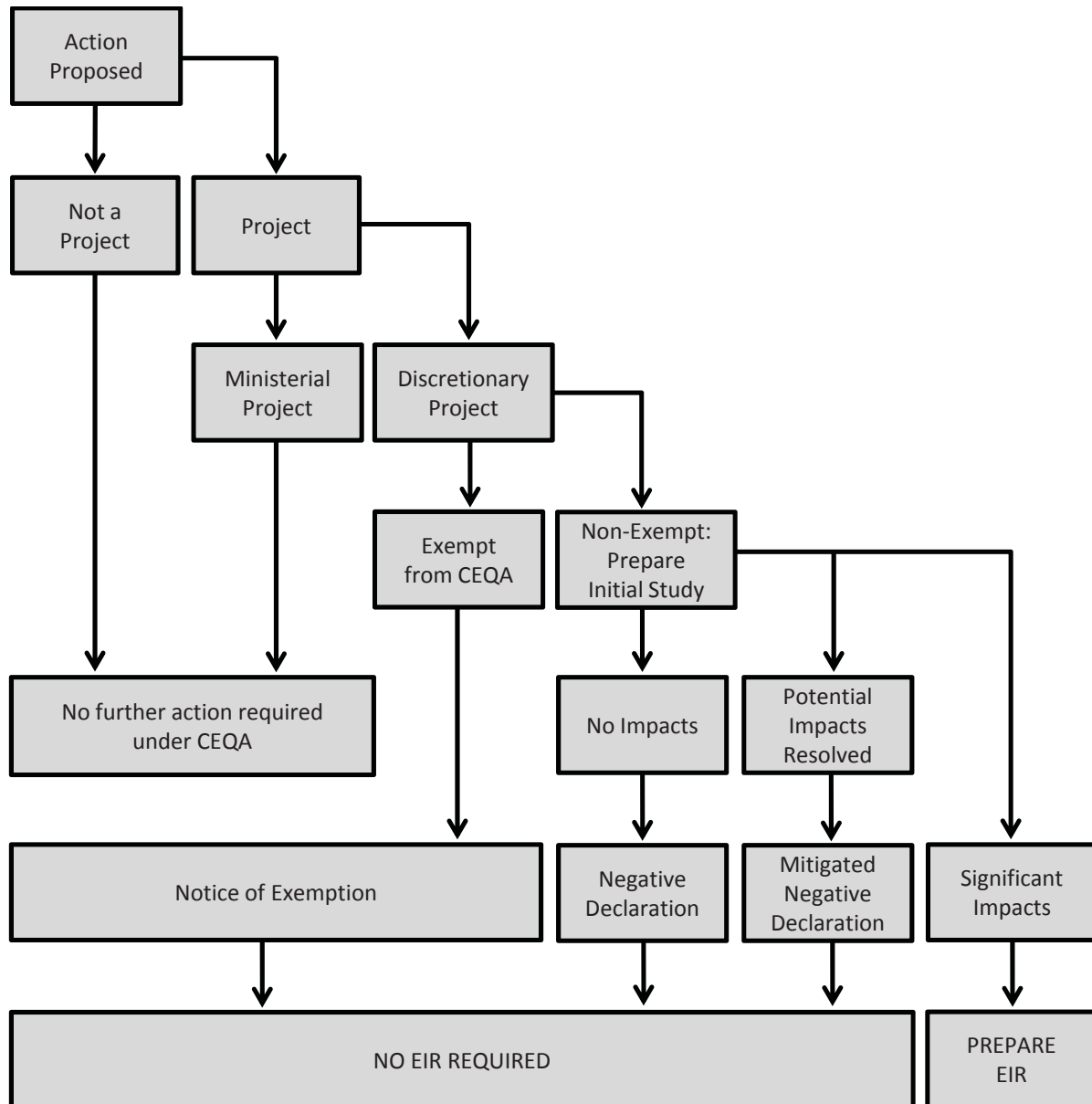
1. Where the lead agency is a state agency (*Guidelines*, Section 15205).
2. Where there is a responsible or trustee state agency (*Guidelines*, Section 15205).
3. Where the project has statewide, regional, or areawide significance (*Guidelines*, Section 15206).

With regard to item 3 above, the *CEQA Guidelines* define the following types of projects as having statewide, regional, or areawide significance:

1. A proposed local general plan, element, or amendment for which an EIR was prepared.
2. A proposed residential development of more than 500 dwelling units.
3. A proposed shopping center or business establishment that will employ more than 1,000 persons or encompass more than 500,000 square feet of floor space.
4. A proposed commercial office that will employ more than 1,000 persons or encompass more than 250,000 square feet of floor space.
5. A proposed hotel/motel development of more than 500 rooms.
6. A proposed industrial, manufacturing, or processing plant, or industrial park, planned to house more than 1,000 persons, occupy more than 40 acres of land, or encompass more than 650,000 square feet of floor area.
7. A project that would result in the cancellation of a Williamson Act Contract for any parcel of 100 or more acres.
8. A project for which an EIR was prepared and which is located in and substantially impacting an area of critical environmental sensitivity. This includes the Lake Tahoe Basin, the Santa Monica Mountains Zone, the California Coastal Zone, the Sacramento-San Joaquin Delta, the Suisun Marsh, any area within 1/4 mile of a wild and scenic river, and the jurisdiction of the San Francisco Bay Conservation and Development Commission.
9. A project that would substantially affect sensitive wildlife habitats such as riparian lands, wetlands, bays, estuaries, marshes, and habitats for endangered, rare and threatened species.
10. A project that would interfere with the attainment of regional water quality standards as stated in the approved areawide wastewater management plan.
11. A project that would provide housing, jobs, or occupancy for 500 or more people within ten miles of a nuclear power plant.

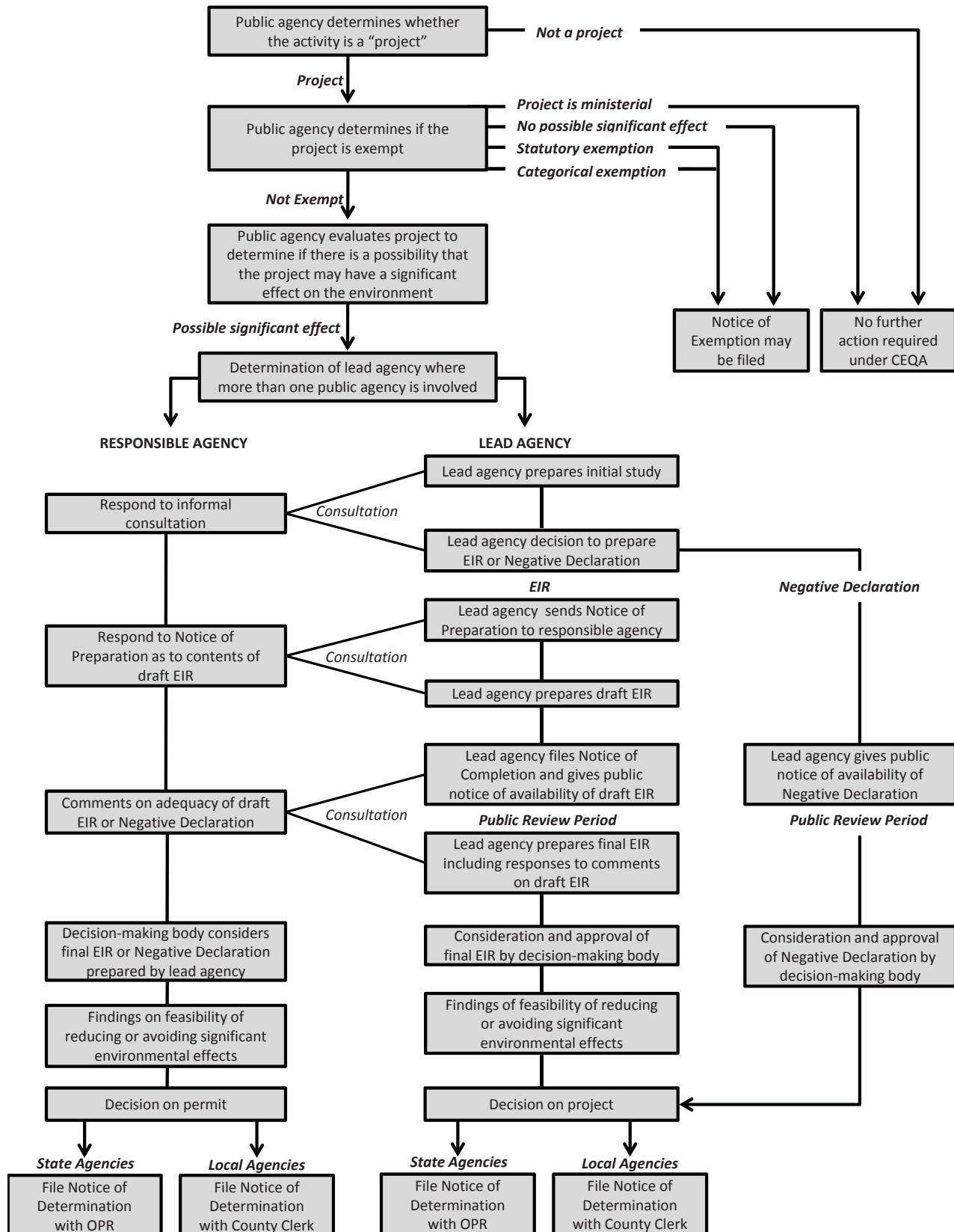
APPENDIX B

Lead Agency Decision to Prepare an EIR



APPENDIX C

CEQA Process



APPENDIX D

Time Periods for Review of Environmental Documents

<i>Document or Action</i>	<i>Effect</i>	<i>Time Period</i>	<i>CEQA Statute and Guidelines</i>
Review of application for completeness	Lead agency has 30 days to review an application for completeness. If no determination is made within this period, it will be deemed complete	30 days	15060 15101
Lead Agency acceptance of an application as complete	Begins maximum one year period to complete environmental review for certain projects	1 year	15060 PRC 21100.2 PRC 21151.5
Initial Study	Provides 30 days to determine whether an EIR or Negative Declaration (ND) will be required	30 days	15102
Notice of Preparation	Provides 30 days from receipt of NOP for agencies to respond to the lead agency	30 days	15103
Convening of scoping meetings	Requires a meeting requested by an agency or by the applicant to be convened within 30 days of the request	30 days	15104
Public review of draft documents	When an environmental document is submitted to the Clearinghouse, the public review period shall be set at least as long as the review set by the Clearinghouse	EIR: 30-60 days ND: 20-30 days	15105
Review by state agencies	Provides standard 45 days for EIRs and standard 30 days for NDs, through the State Clearinghouse	EIR: 45 days ND: 30 days	15105
Completion of Negative Declaration	For a private project, the ND must be adopted in 180 days after the application is complete	180 days	15107 PRC 21100.2 PRC 21151.5
Completion and certification of EIR	For a private project, an EIR must be completed within one year - may be extended once for up to 90 days	1 year	15108 PRC 21100.2 PRC 21151.5
Response to comments (EIR)	Lead agency must give commenting agencies a response at least 10 days before certifying the EIR	10 days	PRC 21092.5
Notice of Determination (NOD)	Provides that agencies shall file notice within 5 days of project approval	5 days	15075 15094
Statute of limitations for CEQA challenge	Filing starts a 30 day statute of limitations to court challenges to the approval of the project. If NOD not filed, then statute of limitations is 180 days from date of project approval	30 days 180 days	15075 15094 15112
Notice of Exemption (NOE)	Filing of NOE following approval of projects exempt from CEQA starts a 35 day statute of limitations. If NOE is not filed, then statute of limitations is 180 days	35 days 180 days	15062
Suspension of time limits	Unreasonable delay of document preparation caused by the application allows suspension of time periods in Guidelines, Sections 15107 and 15108	Varies	15109
Projects with federal involvement	Time limits may be waived or superseded by federal time requirements	Varies	15110

NOTE: Related time periods for project approval are contained in Chapter 4.5 of the Government Code beginning at Section 65920.

APPENDIX E

State Clearinghouse Identification Number

The State Clearinghouse (SCH) identification number is a ten-digit number that is unique to each project reviewed through the State Clearinghouse. The first four digits indicate the year in which the document was processed by the State Clearinghouse (or **first** processed in the case of projects for which several documents have been sent to the State Clearinghouse). The next two digits indicate the month in which the document was processed. The seventh digit indicates the geographic location of the project or unique type of document (i.e. “region”). The last three digits indicate the sequential order in which the document was processed that month.

Example: 2001053089

The document having this SCH number was the eighty-ninth document processed in May of 2001 for Region #3.

2001	05	3	089
Year	Month	Region	Sequence Number

The same SCH identification number must be used on all documents relating to a particular project. This enables the State Clearinghouse to keep better records on the history of projects and assures that comments and subsequent documents will be correctly filed for future reference.

IMPORTANT:

Always identify any known SCH identification number on all communication with the State Clearinghouse.

APPENDIX F

State Reviewing Agencies Address List

The contact information for the following agencies is updated frequently. Please contact the State Clearinghouse to obtain a copy of the most current list.

RESOURCES AGENCY

BOATING AND WATERWAYS

2000 Evergreen Street, Suite 100
Sacramento, CA 95815-3888
Mike Sotelo
T: (916) 263-0787
F: (916) 263-0648

CALIFORNIA COASTAL COMMISSION

45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219
Elizabeth A. Fuchs
T: (415) 904-5200
F: (415) 904-5400

CALIFORNIA COASTAL CONSERVANCY

1330 Broadway, 11th Floor
Oakland, CA 94612
T: (510) 286-1015
F: (510) 286-0470

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street, MS-40
Sacramento, CA 95814
Dale Edwards, Manager, Environmental Protection Officer
T: (916) 654-4074
F: (916) 651-8868

CALIFORNIA TAHOE CONSERVANCY

1061 Third Street
South Lake Tahoe, CA 96150
T: (530) 542-5580
F: (530) 542-5567

COACHELLA VALLEY MOUNTAINS CONSERVANCY

73-710 Fred Waring Drive, Suite 205
Palm Desert, CA 92260
Bill Havert
T: (760) 776-5026
F: (760) 776-9698

COLORADO RIVER BOARD

770 Fairmont Avenue, Suite 100
Glendale, CA 91203-1035
Gerald R. Zimmerman
T: (818) 500-1625
F: (818) 543-4685

CONSERVATION, DEPARTMENT OF

801 K Street, MS-24-02
Sacramento, CA 95814
Rebecca Salazar
T: (916) 445-8735
F: (916) 324-0948

DELTA PROTECTION COMMISSION

P.O. Box 530
Walnut Grove, CA 95690
Linda Fiack
T: (916) 776-2290
F: (916) 776-2293

FORESTRY AND FIRE PROTECTION, DEPARTMENT OF

1416 Ninth Street, Room 1516-24
Sacramento, CA 95814
Allen Robertson, Environmental Coordinator
T: (916) 657-0300
F: (916) 653-8957

HISTORIC PRESERVATION, OFFICE OF

P.O. Box 942896
Sacramento, CA 94296-0001
Michelle Messenger
T: (916) 653-5099
F: (916) 653-9824

PARKS AND RECREATION, DEPARTMENT OF

P.O. Box 942896
Sacramento, CA 94296-0001
Environmental Stewardship Section
T: (916) 653-6725
F: (916) 657-3355

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Avenue, Suite LL60
Sacramento, CA 95821
Jon Yego, Division of Flood Management
T: (916) 574-2363
F: (916) 574-0681

SAN DIEGO RIVER CONSERVANCY

1350 Front Street, Suite 3024
San Diego, CA 92101-3687
Susan Huntington
T: (858) 467-2733

SAN FRANCISCO BAY CONSERVATION & DEVELOPMENT COMMITTEE

50 California Street, 26th Floor
San Francisco, CA 94111

Steve McAdam, Deputy Director
T: (415) 352-3614
F: (415) 352-3606

SAN GABRIEL & LOWER LA RIVERS AND MOUNTAINS CONSERVANCY

900 South Fremont Avenue
Annex Building, 2nd Floor
Alhambra, CA 91802-1460
T: (626) 458-4315
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